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on 8/30/99
By Rob Janes



#3
PATENT

Attorney Docket No. 023070-091400us
UC Case No. 99-140-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ALBERTSON et al.

Serial No.: 09/285,292

Filed: April 2, 1999

For: AMPLIFICATION OF CYP24 AND
USES THEREOF

POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 CFR § 3.71

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Kevin L. Bastian, Reg. No. 34,774; Gregory P. Einhorn, Reg. No. 38,440; M. Henry Heines, Reg. No. 28,219; Laurence J. Hyman, Reg. No. 35,551; Jeffry S. Mann, Reg. No. 42,837; Annette S. Parent, Reg. No. 42,058; Timothy L. Smith, Reg. No. 35,367; William M. Smith, Reg. No. 30,223; Joseph R. Snyder, Reg. No. 39,381; Eugenia Garrett-Wackowski, Reg. No. 37,330; Ellen Lauver Weber, Reg. No. 32,762; Kenneth A. Weber, Reg. No. 31,677; all of the firm of Townsend and Townsend and Crew LLP, as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark



Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with 37 CFR § 3.71.

An assignment of the entire interest in the above-identified subject application:

was recorded on _____ at reel/frame
_____ / _____.

is being concurrently submitted under separate cover to Attn: Box

Assignments for recording, a copy not for recordation is enclosed.

Please direct all telephone calls to Kevin L. Bastian and all correspondence relative to said application to the following address:

Townsend and Townsend and Crew LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834

ASSIGNEE:

THE REGENTS OF THE
UNIVERSITY OF CALIFORNIA

Signature:

Linda S. Stevenson

Typed Name:

Linda S. Stevenson

Title:

Principal Prosecution Analyst

Office of Technology Transfer
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

Dated: 8/18/99



Attorney Docket No. 02307O-091400US
Client Ref. No. 99-140-1

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CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Applicant: Donna G. ALBERTSON, Daniel PINKEL, Colin COLLINS, Joe W. GRAY and Bauke YLSTRA

Application No.: 09/285,292 Filed: April 2, 1999

For: AMPLIFICATION OF CYP24 AND USES THEREOF

The Regents of the University of California, a California corporation,

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is assignee of the patent application identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel , Frame(s) , or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 8/18/99
Name: Linda S. Stevenson
Title: Principal Prosecution Analyst
Signature: Linda S. Stevenson

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ASSIGNMENT

U.C. Case No. 99-140-1

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. Donna G. Albertson _____ 2. Daniel Pinkel _____3. Colin Collins _____ 4. Joe W. Gray _____

5. Bauke Ystra _____ hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, a California Corporation, having its statewide administrative offices located 1111 Franklin St., 12th Floor, Oakland, CA 94607-5200, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

AMPLIFICATION OF CYP24 AND USES THEREOF

and which is found in

(a) _____ U.S. provisional application filed herewith and listing the above-named persons as inventors

(b) _____ U.S. provisional application filed herewith and listing the above-named persons as inventors

(c) U.S. application serial no. 09/285,292 _____ filed on April 2, 1999.

(d) _____ U.S. Patent No.: _____, issued _____

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

Signature of Inventor(s)

4th day of August, 19991. Donna G. Albertson4th day of Aug, 19992. Daniel Pinkel5th day of August, 19993. ~~Colin Collins~~5th day of August, 19994. ~~Joe W. Gray~~5th day of August, 19995. ~~Colin Collins~~

SF 1015339 v1

Exhibit only - not to be recorded

Applicant or Patentee: Donna G. Albertson et al. Docket No. 023070-091400US
Serial or Patent No.: 09/285,292 U. C. Case No. 99-140-1 H3
Filed or Issued: April 2, 1999
For: Amplification of CYP24 and Uses Thereof

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
[37 CFR § 1.9(f) and § 1.27(d)]--NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below.

NAME OF ORGANIZATION: The Regents of the University of California
ADDRESS OF ORGANIZATION: 1111 Franklin Street, 12th Floor
Oakland, California 94607-5200



- TYPE OF ORGANIZATION
- [X] UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
[X] TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE [26 USC § 501(a) and § 601(c) (3)]
[] NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OR THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
- [] WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE [26 USC § 501(a) and § 501(c) (3)] IF LOCATED IN THE UNITED STATES OF AMERICA
[] WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR § 1.9(e) for purposes of paying reduced fees under section 41(a) or (b) of Title 35, United States Code with regard to the invention entitled Amplification of CYP24 and Uses Thereof by inventor(s) Donna G. Albertson, Daniel Pinkel, Colin Collins, Joe W. Gray and Bauke Ylstra described in

[] the specification filed herewith
[x] application serial no. 09/285,292, filed April 2, 1999
[] Patent no. _____, issued _____

I hereby declare that rights under **contract or law** have been conveyed to and remain with the nonprofit organization with regard to the above identified invention [except for a license to a Federal Agency pursuant to USC § 202 (c) (4)].

If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR § 1.9(d) or a nonprofit organization under 37 CFR § 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR § 1.27).

NAME N/A
ADDRESS _____
[] INDIVIDUAL [] SMALL BUSINESS CONCERN [] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR § 1.28(b)]

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC § 1001, and may jeopardize the validity of the application, any patent issuing thereon, or any patent which this verified statement is directed.

NAME OF PERSON SIGNING: Linda S. Stevenson
TITLE IN ORGANIZATION: Principal Prosecution Analyst, Office of Technology Transfer
ADDRESS OF PERSON SIGNING: 1111 Franklin Street, 5th Floor
Oakland, California 94607-5200

SIGNATURE Linda S. Stevenson

DATE 8/18/99